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10/624,166	07/21/2003	Harri Lakkala	KOLS.044PA	6358

7590 11/28/2007  
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EXAMINER
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ADDY, ANTHONY S

ART UNIT	PAPER NUMBER
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2617

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11/28/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/624,166	<b>Applicant(s)</b> LAKKALA, HARRI	
	<b>Examiner</b> Anthony S. Addy	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is in response to applicant's amendment filed on September 07, 2007. **Claims 1-37** are pending in the present application.

#### ***Response to Arguments***

2. Applicant's arguments with respect to **claims 1-37** have been considered but are moot in view of the new ground(s) of rejection. Arguments are directed to newly added limitations and the new ground(s) of rejection based on the newly added limitations follow below.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. **Claims 1-37** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

**Claims 1, 10, 19 and 28**, recites the limitations "where the unanswered call data and messages are received via **separate radio connections**," however it is not clear and adequately disclosed how the above limitations is carried as per the originally filed specification. This constitutes new matter in the claims, as the limitations are not supported by the original disclosure.

With respect to claims **2-9, 11-18, 20-27** and **29-37**, they include the same issues explained above for parent claims 1, 10, 19 and 28. Therefore claims 2-9, 11-18, 20-27 and 29-37 are rejected for the same reasons explained above.

***Claim Rejections - 35 USC § 103***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims **1-37** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Sakai et al., U.S. Publication Number 2003/0100295 A1 (hereinafter Sakai)** and **Skinner et al., U.S. Patent Number 6,529,737 (hereinafter Skinner)** and further in view of **Garahi et al., U.S. Patent Number 6,674,448 (hereinafter Garahi)**.

Regarding claims 1 and 9, Sakai teaches a subscriber terminal for a radio system (see paragraph 0063, line 1 through paragraph 0064, line 4 and Figures 1 & 9), comprising: a transceiver configured to receive calls and messages (see paragraph 0084, lines 1-14 and Fig. 1; where a reception unit 3, transmission unit 4 and duplexer 2 constituting a transceiver are shown); a control unit connected to the transceiver configured to save received unanswered call data relating to received unanswered calls, and to constitute contact attempts, the received unanswered call data relating to the received unanswered calls (see paragraph 0086, line 1 through paragraph 0087, line 10, paragraph 0092, line 1-20 [i.e. the caller information reads on saved received unanswered call data and messages relating to received unanswered calls and constitute a contact attempt, since Sakai teaches the caller information includes ID information of the caller, caller's name, phone number, and image data to identify a

missed caller and the caller information is stored in a storage unit by the CPU as a missed calls list] and Fig. 10; where CPU 5 is shown coupled to reception unit 3 and transmission unit 4); and a user interface connected to the control unit configured to present the contact attempts (see paragraph 0091, lines 1-4 and Fig. 1; where a display unit 9, speaker 6 and microphone 7 constituting a user interface are shown connected to CPU 5).

Sakai fails to explicitly teach a control unit configured to save messages relating to received unanswered calls to constitute contact attempts including both the received unanswered call data and the messages relating to the received unanswered calls, and wherein the message comprises a text message.

Skinner, however, teaches an apparatus and method for enabling the originator of a telephone call to send a customized message or signal to an unavailable telephony subscriber, wherein the originator can form a customized short message including the originator's telephone number to be sent to the subscriber's telephone (see col. 3, line 61 through col. 4, line 34). According to Skinner, if for instance the subscriber is screening calls due to an insufficient identification of the originator, by using the short message service, the originator is then able to customize a message that is sent to the subscriber and once the message is displayed to the subscriber, the subscriber can then decide whether to accept the call from the originator or respond at a later time (see col. 4, line 35 through col. 5, line 16 and col. 2, line 57 through col. 3, line 7 [e.g. an example message could read "CALL YOUR WIFE AT 555-1234, which reads on messages relating to received unanswered calls which in combination with the

teachings of Sakai as explained above in response to arguments, meets the claimed limitations of "messages relating to received unanswered calls to constitute contact attempts including both the received unanswered call data and the messages relating to the received unanswered calls, and wherein the message comprises a text message"]).

It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to modify Sakai with Skinner to include a control unit configured save messages relating to unanswered calls to constitute contact attempts from the messages relating to unanswered calls, and wherein the message comprises a text message, in order to enable a subscriber screening calls due to an insufficient identification of an originator or an unavailable subscriber to decide whether to accept a call from an originator or respond at a later time as per the teachings of Skinner (see col. 4, line 35 through col. 5, line 16).

The combination of Sakai and Skinner fails to explicitly teach where the unanswered call data and messages are received via separate radio connections. However the feature of transmitting and receiving data via separate radio/wireless connections is very well known in the art as taught for example by Garahi.

Garahi teaches a user with a standard telephone or a cellular telephone may interact and transmit/receive data via separate radio connections (see col. 12, lines 8-24).

It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to modify Sakai and Skinner with Garahi to include a system where the unanswered call data and messages are received via separate radio connections, in

order to maximize bandwidth and more specifically the total system utility of the wireless radio network.

Regarding claim 2, the combination of Sakai, Skinner and Garahi teaches all the limitations of claim 1. The combination of Sakai, Skinner and Garahi further teaches (as taught by Skinner), wherein for the constitution of the contact attempts the control unit is configured to combine together such unanswered call data and such a message relating to an unanswered call which both refer to the same caller (see col. 2, lines 57 through col. 3, line 2, col. 4, lines 18-34 and response to arguments in the Office Action mailed on 04/06/2007).

Regarding claim 3, the combination of Sakai, Skinner and Garahi teaches all the limitations of claim 2. The combination of Sakai, Skinner and Garahi further teaches (as taught by Skinner), wherein the control unit is configured to find a reference to the same caller if both the unanswered call data and the message relating to the unanswered call both contain the same caller identifier (see col. 2, lines 57 through col. 3, line 2, and col. 4, lines 18-34).

Regarding claims 10 and 18, Sakai teaches an arrangement for presenting contact attempts to a subscriber of a radio system (see paragraph 0063, line 1 through paragraph 0064, line 4 and Figures 1 & 9), comprising: receiving means for receiving calls and messages (see paragraph 0084, lines 1-14 and Fig. 1; where a reception unit 3, antenna 1 and duplexer 2 constituting receiving means are shown); saving means for saving received unanswered call data relating to received unanswered calls (see paragraph 0092, lines 1-6 and Fig. 1; where a storage unit 8 is shown for storing

information, such as a missed call lists [i.e. the caller information reads on saved received unanswered call data and messages and constitute a contact attempt, since Sakai teaches the caller information includes ID information of the caller, caller's name, phone number, and image data to identify a missed caller and the caller information is stored in a storage unit by the CPU as a missed calls list]); constituting means for constituting contact attempts, the received unanswered call data relating to the received unanswered calls (see paragraph 0028, lines 1-10, paragraph 0092, lines 1-15 and Figures 5 & 11); and presenting means for presenting the contact attempts (see paragraph 0091, lines 1-4, paragraph 0099, lines 1-11, Fig. 1; where a display unit 9 for displaying caller information is shown and Fig. 4; showing a missed call screen as presented on display unit 9).

Sakai fails to explicitly teach saving messages relating to received unanswered calls to constitute contact attempts including both the received unanswered call data and the messages relating to the received unanswered calls, and wherein the message comprises a text message.

Skinner, however, teaches an apparatus and method for enabling the originator of a telephone call to send a customized message or signal to an unavailable telephony subscriber, wherein the originator can form a customized short message including the originator's telephone number to be sent to the subscriber's telephone (see col. 3, line 61 through col. 4, line 34). According to Skinner, if for instance the subscriber is screening calls due to an insufficient identification of the originator, by using the short message service, the originator is then able to customize a message that is sent to the



subscriber and once the message is displayed to the subscriber, the subscriber can then decide whether to accept the call from the originator or respond at a later time (see col. 4, line 35 through col. 5, line 16 and col. 2, line 57 through col. 3, line 7 [e.g. an example message could read "CALL YOUR WIFE AT 555-1234, which reads on messages relating to received unanswered calls which in combination with the teachings of Sakai as explained in the response to arguments in the Office Action mailed on 04/06/2007, meets the claimed limitations of "messages relating to received unanswered calls to constitute contact attempts including both the received unanswered call data and the messages relating to the received unanswered calls, and wherein the message comprises a text message"])).

It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to modify Sakai with Skinner to include saving messages relating to received unanswered calls to constitute contact attempts including both the received unanswered call data and the messages relating to the received unanswered calls, and wherein the message comprises a text message, in order to enable a subscriber screening calls due to an insufficient identification of an originator or an unavailable subscriber to decide whether to accept a call from an originator or respond at a later time as per the teachings of Skinner (see col. 4, line 35 through col. 5, line 16).

The combination of Sakai and Skinner fails to explicitly teach where the unanswered call data and messages are received via separate radio connections. However the feature of transmitting and receiving data via separate radio/wireless connections is very well known in the art as taught for example by Garahi.

Garahi teaches a user with a standard telephone or a cellular telephone may interact and transmit/receive data via separate radio connections (see col. 12, lines 8-24).

It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to modify Sakai and Skinner with Garahi to include a system where the unanswered call data and messages are received via separate radio connections, in order to maximize bandwidth and more specifically the total system utility of the wireless radio network.

Regarding claim 11, the combination of Sakai, Skinner and Garahi teaches all the limitations of claim 10. The combination of Sakai, Skinner and Garahi further teaches (as taught by Skinner), wherein for the constitution of the contact attempts the control unit is configured to combine together such unanswered call data and such a message relating to an unanswered call which both refer to the same caller (see col. 2, lines 57 through col. 3, line 2, col. 4, lines 18-34 and response to arguments in the Office Action mailed on 04/06/2007).

Regarding claim 12, the combination of Sakai, Skinner and Garahi teaches all the limitations of claim 11. The combination of Sakai, Skinner and Garahi further teaches (as taught by Skinner), wherein the control unit is configured to find a reference to the same caller if both the unanswered call data and the message relating to the unanswered call both contain the same caller identifier (see col. 2, lines 57 through col. 3, line 2, and col. 4, lines 18-34).

Regarding claims 19, 27, 28 and 36, Sakai teaches a computer program distribution medium readable by a computer and encoding a computer program of instructions for executing a computer process and a method for presenting contact attempts to a subscriber terminal of a radio system (see paragraph 0005, lines 1-15, paragraph 0086, line 1 through paragraph 0087, line 10 and Figures 4 & 10), comprising: receiving calls and messages (see paragraph 0084, lines 1-10 and paragraph 6-11 and Figures 4 & 6-8); saving unanswered call data relating to unanswered calls (see paragraph 0092, lines 1-6 and Fig. 1; where a storage unit 8 is shown for storing information, such as a missed call lists); constituting contact attempts, the received unanswered call data relating to the received unanswered calls (see paragraph 0028, lines 1-10, paragraph 0092, lines 1-15 and Figures 5 & 11); and presenting the contact attempts with a user interface of the subscriber terminal (see paragraph 0091, lines 1-4, paragraph 0099, lines 1-11, and Fig. 4; shows a missed call screen as presented on display unit 9).

Sakai fails to explicitly teach saving messages relating to received unanswered calls to constitute contact attempts including both the received unanswered call data and the messages relating to the received unanswered calls, and wherein the message comprises a text message.

Skinner, however, teaches an apparatus and method for enabling the originator of a telephone call to send a customized message or signal to an unavailable telephony subscriber, wherein the originator can form a customized short message including the originator's telephone number to be sent to the subscriber's telephone (see col. 3, line

61 through col. 4, line 34). According to Skinner, if for instance the subscriber is screening calls due to an insufficient identification of the originator, by using the short message service, the originator is then able to customize a message that is sent to the subscriber and once the message is displayed to the subscriber, the subscriber can then decide whether to accept the call from the originator or respond at a later time (see col. 4, line 35 through col. 5, line 16 and col. 2, line 57 through col. 3, line 7 [e.g. an example message could read "CALL YOUR WIFE AT 555-1234, which reads on messages relating to received unanswered calls which in combination with the teachings of Sakai as explained in response to arguments in the Office Action mailed on 04/06/2007, meets the claimed limitations of "messages relating to received unanswered calls to constitute contact attempts including both the received unanswered call data and the messages relating to the received unanswered calls, and wherein the message comprises a text message"])).

It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to modify Sakai with Skinner to include saving messages relating to received unanswered calls to constitute contact attempts including both the received unanswered call data and the messages relating to the received unanswered calls, and wherein the message comprises a text message, in order to enable a subscriber screening calls due to an insufficient identification of an originator or an unavailable subscriber to decide whether to accept a call from an originator or respond at a later time as per the teachings of Skinner (see col. 4, line 35 through col. 5, line 16).

The combination of Sakai and Skinner fails to explicitly teach where the unanswered call data and messages are received via separate radio connections. However the feature of transmitting and receiving data via separate radio/wireless connections is very well known in the art as taught for example by Garahi.

Garahi teaches a user with a standard telephone or a cellular telephone may interact and transmit/receive data via separate radio connections (see col. 12, lines 8-24).

It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to modify Sakai and Skinner with Garahi to include a system where the unanswered call data and messages are received via separate radio connections, in order to maximize bandwidth and more specifically the total system utility of the wireless radio network.

Regarding claims 20 and 29, the combination of Sakai, Skinner and Garahi teaches all the limitations of claims 19 and 28. The combination of Sakai, Skinner and Garahi further teaches (as taught by Skinner), wherein for the constitution of the contact attempts the control unit is configured to combine together such unanswered call data and such a message relating to an unanswered call which both refer to the same caller (see col. 2, lines 57 through col. 3, line 2, col. 4, lines 18-34 and response to arguments in the Office Action mailed on 04/06/2007).

Regarding claims 21 and 30, the combination of Sakai, Skinner and Garahi teaches all the limitations of claims 20 and 29. The combination of Sakai, Skinner and Garahi further teaches (as taught by Skinner), wherein the control unit is configured to

find a reference to the same caller if both the unanswered call data and the message relating to the unanswered call both contain the same caller identifier (see col. 2, lines 57 through col. 3, line 2, and col. 4, lines 18-34).

Regarding claims 4,13, 22 and 31, the combination of Sakai, Skinner and Garahi teaches all the limitations of claims 1,10, 19 and 28. The combination of Sakai, Skinner and Garahi further teaches (as taught by Skinner), a subscriber terminal, program, method and arrangement, wherein the control unit is configured to display in the user interface the contact attempts as a list of contact attempts (see paragraph 0143, lines 6-13, paragraph 0159, lines 3-8, paragraph 0011, lines 1-15, Figures 4 & 8; see screen 44 and Fig. 11).

Regarding claims 5,14, 23 and 32, the combination of Sakai, Skinner and Garahi teaches all the limitations of claims 4,13, 22 and 31. The combination of Sakai, Skinner and Garahi further teaches (as taught by Skinner), a subscriber terminal, program, method and arrangement, wherein the control unit is configured to display the list of contact attempts as a list of callers (see paragraph 0143, lines 6-13, paragraph 0159, lines 3-8, paragraph 0011, lines 1-15, Figures 4 & 8; see screen 44 and Fig. 11).

Regarding claims 6,15, 24 and 33, the combination of Sakai, Skinner and Garahi teaches all the limitations of claims 1,10, 19 and 28. The combination of Sakai, Skinner and Garahi further teaches (as taught by Skinner), a subscriber terminal, program, method and arrangement, wherein the control unit is configured to receive a selection regarding a contact attempt from the user interface and to display the selected contact

attempt in more detail in the user interface (see paragraph 0169, lines 1-11, paragraph 0157, lines 1-8, paragraph 0160, lines 1-7 and Fig. 8).

Regarding claims 7, 16, 25 and 34, the combination of Sakai, Skinner and Garahi teaches all the limitations of claims 1, 10, 19 and 28. The combination of Sakai, Skinner and Garahi further teaches (as taught by Skinner), a subscriber terminal, program, method and arrangement, wherein the control unit is configured to fetch a name of the caller present in the contact attempts from a phonebook and to display the name of the caller in the user interface (see paragraph 0160, lines 1-7, paragraph 0086, lines 1-9 and Fig. 8).

Regarding claims 8, 17, 26 and 35, the combination of Sakai, Skinner and Garahi teaches all the limitations of claims 1, 10, 19 and 28. The combination of Sakai, Skinner and Garahi further teaches (as taught by Skinner), a subscriber terminal, program, method and arrangement, wherein the control unit is configured to display in the user interface a selection mechanism, which, when selected, makes a contact to a caller of the selected contact attempt (see paragraph 0160, lines 1-7 and Fig. 8).

Regarding claim 37, the combination of Sakai, Skinner and Garahi teaches all the limitations of claim 28. The combination of Sakai, Skinner and Garahi further teaches (as taught by Skinner), a computer distribution medium, the distribution medium comprising a computer readable medium, a program storage medium, a record medium, a computer readable memory, a computer readable software distribution package, a computer readable telecommunication signal, and a computer readable compressed software package (see paragraph 0005, lines 1-15 and Fig. 10).

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony S. Addy whose telephone number is 571-272-7795. The examiner can normally be reached on Mon-Thur 8:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc M. Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for



Application/Control Number:  
10/624,166  
Art Unit: 2617

Page 16

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A.S.A



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